

Superseded 5/12/2015

67-8-5 Duties of commission -- Salary recommendations.

- (1) The commission shall recommend to the Legislature salaries for:
 - (a) the governor, the lieutenant governor, the attorney general, the state auditor, and the state treasurer; and
 - (b) justices of the Supreme Court and judges of the constitutional and statutory courts of record.
- (2) The commission shall:
 - (a) make studies and formulate recommendations concerning the wage and salary classification plan based upon factors such as educational requirements, experience, responsibility, accountability for funds and staff, comparisons with wages paid in other comparable public and private employment within this state, and other states similarly situated, and any other factors generally used in similar comprehensive wage and salary classification plans so that the plan and its administration reflect current conditions at all times;
 - (b) consult and advise with, and make recommendation to, the Department of Human Resource Management regarding the plan, its administration, and the position of any elected official and judge covered by the plan;
 - (c) submit to the Executive Appropriations Committee not later than 60 days before commencement of each annual general session:
 - (i) a report briefly summarizing its activities during the calendar year immediately preceding the session;
 - (ii) recommendations concerning revisions, modifications, or changes, if any, which should be made in the plan, its administration, or in the classification of any officer under the plan; and
 - (iii) specific recommendations regarding the office of governor, lieutenant governor, attorney general, state auditor, and state treasurer concerning adjustments, if any, that should be made in the salary or other emoluments of office so that all elected and judicial officials receive equitable and consistent treatment regardless of whether salaries are fixed by the Legislature or by the Department of Human Resource Management; and
 - (d) conduct a comprehensive review of judicial salary levels and make recommendations for judicial salaries in a report to the president of the Senate, the speaker of the House of Representatives, and the governor by November 1, prior to the convening of the general session of the Legislature in each odd-numbered year.
- (3)
 - (a) The recommendation under Subsection (2)(d) shall be based upon consultation with the Judicial Council and upon consideration for the career status of judges. It shall be based upon comparisons with salaries paid in other states and in comparable public and private employment within this state.
 - (b) In even-numbered years, the commission shall update its prior report, based upon the Consumer Price Index and other relevant factors, and shall forward its updated recommendations as prescribed in this section.
- (4) The Judicial Council shall cooperate with the commission in providing information on the judicial branch of government and on the individual levels of court as requested. The director of personnel from the Office of the Court Administrator shall provide the salary comparison data referred to in this section to the legislative fiscal analyst and shall provide other staff assistance and support as requested by the legislative fiscal analyst.